

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MISSOURI

RUST, EWING EDGAR)	Case No. 17-60930
)	Chapter 7
Debtor.)	
)	
J. KEVIN CHECKETT, Trustee in)	
Bankruptcy,)	
Plaintiff,)	
vs.)	Adv. No. 18-06002
)	
DARREN RUST,)	
Defendant.)	
_____)	

JUDGMENT

NOW ON THIS DAY The Court takes up for consideration the trustee’s complaint against Darren Rust. The Court finds as follows:

1. On August 24, 2017, Debtor filed a voluntary petition under Chapter 7 of the United States Bankruptcy Code.
2. The Trustee of the bankruptcy estate is operating pursuant to the rights, powers and duties of 11 U.S.C. §§ 547 and 550.
3. Darren Rust (“Darren” or “Defendant”) is the grandson of the debtor Ewing Rust.
4. This Court has jurisdiction over this matter pursuant to 28 U.S.C. § 151, 157, and § 1334 and Rule 1073-1 of the Local Rules of the United States District Court, Western District of Missouri.
5. This matter constitutes a statutorily and constitutionally “core proceeding” pursuant to 28 U.S.C. § 157(b)(2)(A), (E), (K), and (O), arising under Title 11 and in the Chapter 7 case of

the Debtors, presently pending before the United States Bankruptcy Court for the Western District of Missouri.

6. Venue is proper in this court under 28 U.S.C. § 1409.

7. Darren received transfers of monies from Debtor within one year of the filing of the voluntary chapter 7 petition (the “Transfers”). The total amount of the Transfers from Debtor to the Darren was \$13,583.00.

8. The Transfers were made on account of antecedent debt owed to Darren by Debtor.

9. Darren was a creditor of Debtor at the time the Transfers were made.

10. Debtor was insolvent at the time the Transfers were made.

11. The transfers enabled the Darren to receive more than it would have received if (i) the transfers had not been made, and (ii) Darren received payment of the debt to the extent provided under title 11 of the United States Code.

12. Pursuant to the provisions of 11 U.S.C. § 550, Trustee is entitled to recover the value of the Transfers from the Defendant for the bankruptcy estate, together with interest thereon at the legal rate from the date of the Trustee’s original demand.

ORDERED, judgment is entered in favor of the trustee and against Darren Rust in the amount of \$13,583.00, plus the costs of this action.

SO ORDERED.

Dated: April 12, 2018

/s/ Cynthia A. Norton
Cynthia A. Norton
United States Bankruptcy Court Judge

Submitted by:

/s/ Kevin Checkett
Attorney for Trustee